



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 21, 2005

ADAMS EVANS P.A.
2180 TWO WACHOVIA CENTER
CHARLOTTE, NC 28282
US

Dear Sir/Madam,

Your refund request for 10049256 in the amount of \$450.00 has been denied .

According to our records of the fee history of this application you were never charged for a large entity.

Sincerely,

ELEANOR KURTZ
Technical Center Others

1
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	GARVEY, Frank	EXAMINER:	STRIMBU, Gregory
SERIAL NO:	10/049,256	ATTORNEY DOCKET NO.:	148/291
FILED:	05/03/2002	ART UNIT:	3634
FOR:	FINGER PROTECTOR DEVICE		

REFUND REQUEST

June 13, 2005

DEPOSIT ACCOUNT NO.: 01-0265

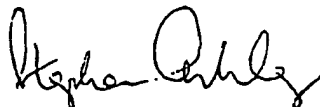
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned attorney respectfully requests a Deposit Account refund in the amount of \$450.00 regarding the above-captioned application. Applicant established its status as small entity upon filing the above-mentioned application and maintained the small entity status throughout the prosecution. However, the PTO charged both a large entity fee and a small entity fee for the filing of the brief in support of appeal with unsupported reasons. Also, the U.S. PTO inadvertently charged a one month extension of time fee to our deposit account (01-0265) which should also be refunded.

If there are any questions, the Refund Section is welcome to contact the undersigned at (704) 375-9249.

Respectfully submitted,



Stephen S. Ashley, Jr.
Reg. No. 47,394

Serial No. 10/049,256
Applicant: Garvey, Frank
Date of Request: June 13, 2005

Stephen S. Ashley, Jr.
ADAMS EVANS P.A.
2180 Two Wachovia Center
Charlotte, NC 28282
(704) 375-9249
Attorney Docket No. 148/291

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Fax No. 703-308-5077 on 06/13/05.

Signature: Myra Howell

Myra Howell

6/13/05
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	GARVEY, Frank	EXAMINER:	STRIMBU, Gregory
SERIAL NO:	10/049,256	ATTORNEY DOCKET NO.:	148/291
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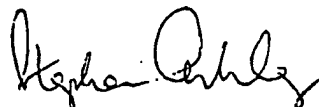
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Signature: Myra Howell 6/13/05
Myra Howell Date of Signature

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number	10/049,258
Filing Date	05/03/2002
First Named Inventor	GARVEY, Frank
Art Unit	3634
Examiner Name	STRIMBU, Gregory
Attorney Docket Number	0148/291

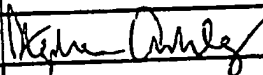
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<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Return Receipt Postcard.
<input type="checkbox"/> Information Disclosure Statement	<input checked="" type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

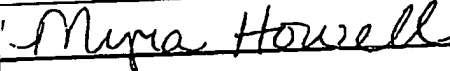
- Please charge any applicable fees to deposite account No. 01-0265.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Adams Evans P.A.		
Signature			
Printed name	Stephen S. Ashley, Jr.		
Date	06/13/2005	Reg. No.	47,394

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		Date	06/13/2005
Typed or printed name	Myra Howell		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ADAMS EVANS P.A.
INTELLECTUAL PROPERTY ATTORNEYS

2180 Two Wachovia Center
301 South Tryon Street
Charlotte, North Carolina 28282-1991
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Facsimile: (704) 375-0729

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FACSIMILE TRANSMISSION

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Stephen S. Ashley, Jr.

DATE: June 13, 2005

FAX NO: 703-308-5077

RE: Our File No. 148/291; U.S. Patent Appl. No. 10/049,256 for "FINGER PROTECTOR DEVICE"

CONFIRMATION COPY
TO FOLLOW:

YES

NO

✓

NUMBER OF PAGES Cover + 3

MESSAGE: Please see the attached Refund Request dated June 13, 2005.

Also please confirm receipt of this facsimile.

Thank you.

If any problems in transmission occur, please contact: Myra Howell, Legal Assistant

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